REMARKS

Applicant respectfully requests reconsideration of the application.

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,535,617 to Hannigan et al. ("Hannigan").

Claims 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,748,763 to Rhoads.

Preliminary Issues

Claims 4 and 5 have been amended so that the reference to "samples" more completely corresponds to the language in claim 1, which uses the phrase: "media signal samples."

Claim 1

Hannigan fails to teach the combination of elements of claim 1. In particular, Hannigan fails to teach the combination of: "assigning sets of media signal samples into classes;" and "computing a statistical distribution of the classes" as claimed. Assuming for the sake of argument that Hannigan's image blocks correspond to the claimed "sets", then Hannigan teaches computing a variance of each set and ranking the sets based on the variance of each individual set. However, Hannigan does not assign the blocks into classes and then proceed to compute a statistical distribution of the classes as claimed. Therefore, Hannigan fails to anticipate claim 1.

Claims 2-11 are patentable over Hannigan for the same reasons as claim 1 and include further novel combinations of elements that further distinguish these claims.

Claim 12

Hannigan fails to teach the claimed approach of using characteristics computed from the samples to group them into classes and modeling the statistical distribution of the samples in the classes as claimed. Hannigan does not teach assigning samples to classes in the manner claimed, and modeling the statistical distribution of the classes. Assuming that Hannigan's calculation of variance of individual blocks is equivalent to modeling a statistical distribution, Hannigan still does not teach the claimed process of assigning samples into classes using characteristics

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computed from the samples to group them into classes. Therefore, Hannigan does not anticipate claim 12.

Claims 13-14 are patentable over Hannigan for the same reasons as claim 12 and include further novel combinations of elements that further distinguish these claims.

Claim 15

Hannigan fails to disclose the combination of elements in claim 15, and in particular, fails to disclose: "assigning samples of the watermarked signal into classes using characteristics computed from the samples to group the samples into the classes;" and "computing a statistical distribution of the samples in each of the classes" as claimed.

Note that claim 15 has been broadened and clarified in part by removing the reference to "sets" because Applicant is entitled to claim more scope in view of the art of record.

Claims 16-18 are patentable over Hannigan for the same reasons as claim 15 and include further novel combinations of elements that further distinguish these claims.

Claim 19

The Office has failed to establish that Rhoads teaches the elements of claim 19. The cited passages of Rhoads do not teach a method of estimating a watermark signal from a media signal suspected of containing the watermark signal as claimed. For example, there is no teaching of "modeling distributions of the classes" as claimed. It is difficult to parse the rejection because there is no clear indication of what teachings in Rhoads correspond to "assigning samples of the suspect signal into classes based on signal characteristics of the samples." What are the signal characteristics allegedly used in Rhoads to assign samples into classes? Where does Rhoads specifically disclose modeling the distribution of these classes?

Because Rhoads does not teach the combination of elements in claim 19, it does not anticipate the claim. Claim 20 is patentable over Rhoads for the same reasons as claim 19.

Concluding Remarks

The cited art fails to teach the claimed combination of elements in the claims, and therefore does not anticipate the claims.

Respectfully submitted,
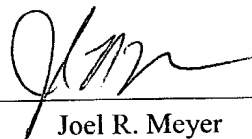
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